

The Regular Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:32 p.m. on Tuesday, June 12, 2001, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

All Present: (9)

Chamberlain
Kramer
Littman
Pennington
Starr
Storrs
Waller
Wright
Reece (7:40 p.m.)

Absent: None

Also Present:

Mark F. Miller, Principal Planner
Laurence G. Keisling, Planning Director
Lori Bluhm, Acting City Attorney
Jordan Keoleian, Student Representative

2. MINUTES – Special/Study Meeting of May 22, 2001

Mr. Wright noted that the minutes related to the proposed temporary outdoor in-line hockey rinks on Big Beaver, west of John R Road should be modified to consistently indicate that it was Mrs. Rasmussen who had complained about various noises emanating from the proposed use.

Moved by: Wright

Seconded by: Littman

RESOLVED, that the minutes of the Special/Study Meeting of May 22, 2001 be approved as corrected.

Yeas: Chamberlain
Kramer
Littman
Pennington
Storrs
Waller
Wright

Abstain: Starr

Absent: Reece

MOTION CARRIED

3. PUBLIC COMMENTS:

No one wished to be heard.

Subdivisions

4. PRELIMINARY PLAT-TENTATIVE APPROVAL– Oak Forest Subdivision (Revised) – West side of John R Road, South of Square Lake Road – Section 11

Mr. Miller explained that, in the Spring of 2000, the Planning Commission considered Tentative Preliminary Plats for two Subdivisions in the area, west of John R Road and south of Square Lake Road, then known as Oak Forest and Oak Forest, South Subdivisions. The original Oak Forest site extended ½ mile west from John R Road in an irregular configuration, to Willow Grove. The last action taken by the Planning Commission on these proposals was postponement, at the request of the proprietor, in order to enable submittal of the required environmental information, completion of the necessary Environmental Review of the subject property, and submittal of the plats, revised to indicate the results of the Environmental Review and the changes requested by staff.

Mr. Miller noted that a revised plat for proposed of Oak Forest Subdivision has now been submitted involving just the easterly 10.2-acre portion of the site, extending west ¼ mile from John R Road. This proposed Subdivision consists of 24 lots developed in accordance with the lot-averaging provisions applicable to the subject R-1C Zoning District. The street pattern involves a single street access from John R Road, now properly located directly opposite Highbury Drive in the Stoneridge Subdivisions. A stub-street connection is proposed extending south to the present Holm Street right-of-way within the Eysters John R Farms Subdivision. A stub street is also proposed to extend to the north, in order to provide for potential additional residential development in that area. Storm water detention is proposed to be provided in an off-site location abutting immediately to the west, between the proposed subdivision site and the Fetterley Drain. It is intended that this basin site will ultimately serve this proposed subdivision, along with additional potential development in the area to the west. It is further intended that this basin will ultimately be conveyed to the City for maintenance. The plan attached to the proposed subdivision plat indicates an asphalt service access drive to the basin site within an easement along the edge of a proposed hypothetical street alignment in that area.

Mr. Reece arrived.

Mr. Miller noted the MDEQ Wetlands Assessment report, which had been conveyed under the Wattles Square, Inc. cover letter of April 24, 2001. Dr. Jaworski, the City's Interim Environmental Consultant, has now provided a report in response to the MDEQ Assessment, which indicates slightly more wetland area.

In response to Mr. Waller's questions, Mr. Miller confirmed that the MDEQ has final authority in relation to wetlands and that they must ultimately grant a wetland permit before construction can begin. Mr. Littman questioned the use of a part of proposed Lot 13 for wetland mitigation. Mr. Miller confirmed that the lot will be buildable, with exclusion of the mitigation area.

Joel Garrett was present representing the proprietors, and indicated that he would be willing to answer any questions.

Bill Collins of Huron Ecologic in Rochester Hills stated that he was a Wetlands Consultant, and that the wetland boundaries appear to be "way off". Some wetland area is not shown on the plat. He disagrees with the proposal to create several mitigation areas. He questioned the timing of the Wetland Evaluation, in relation to the growing season for wetland plants. He felt that the Planning Commission and the Council shouldn't pass off the wetland question entirely to the MDEQ. Finally, he stated that the MDEQ will review a wetland without a Preliminary Plan Approval. In relation to Mr. Kramer's question regarding surface water versus ground water impacts, Mr. Collins commented that although the matter is somewhat subjective, ground water should be considered in Wetland Evaluation.

Lon Ullman of 5621 Willow Grove was present and stated that there are saturated soils in this area from October to late May. Two years ago the City's staff and consultant identified an historic wetland in the area to the north, related to the Blue Heron Rookery. It took the developer's consultant three visits to the site in order to complete his Wetland Evaluation. Mr. Ullman objected to home sites encroaching into wetlands, and to the potential placement of the detention basin within a flood plain area. He noted that the developer's proposal includes the enclosure of the Fetterley Drain, to which he also objected. He felt that a development involving fewer lots, along with preservation of large trees and wetland areas, would be far preferable.

Mr. Winkler Prins of 650 Eckford explained that he was in the "indoor air quality" business, wherein he attempted to resolve moisture problems in homes. He noted that hydrostatic pressure from ground water causes problems with basement walls which are quite difficult to overcome. He also commented that potential disease problems can occur and that the City should avoid actions which would create contaminated buildings.

In response to Mr. Littman's question, Ms. Bluhm stated that it was her understanding that a Preliminary Plan is necessary in order to request a Wetland Permit, but the matter is still somewhat unclear. In response to Mr. Storr's question, she indicated that the City Council has requested MDEQ hearings in the past on wetland matters. The Planning Commission could certainly recommend that such a request be forwarded.

Joel Garrett stated that approximately five years ago the City Council considered a proposal to share with him the cost of improving the Fetterley Drain. The City decided not to proceed. The Fetterley Drain must be improved before development proceeds in this area. He corrected Mr. Ullman's comment by indicating that it took three inspections by the MDEQ, not three tries by his consultant, in order to develop the Wetlands Assessment. He has developed in Troy since the mid-1960's and he would not cause a health problem. One of the problems is that the City and the County have failed to maintain the Fetterley Drain.

In response to Mr. Wright's question, Mr. Garrett stated that it is intended that the homes in this area will have basements. Mr. Wright was concerned about the impact of ground water hydrology on basement walls, and wondered whether the Engineering Department could provide information about such concerns. Mr. Kramer shared Mr. Wright's concern, but felt that Engineering matters can't be addressed by the Planning Commission. Mr. Storr's felt that the Planning Commission has done all they can do under current Ordinance provisions.

Moved by Waller

Seconded by Storrs

RESOLVED, that the Planning Commission hereby recommends to the City Council that Tentative Approval be granted to the Preliminary Plat of Oak Forest Subdivision, on the west side of John R Road, south of Square Lake Road in Section 11, subject to the condition that the City request an MDEQ hearing in relation to the potential Wetland Permit Application.

Yeas: Chamberlain

Nay: Wright

Kramer

Littman

Pennington

Reece

Starr

Storrs

Waller

MOTION CARRIED

In response to Mr. Reece's question, Ms. Bluhm stated that if the City Council requests a hearing on an MDEQ Wetland Permit Application, the Council would be responsible for determining the extent of any notice.

Mr. Wright stated that his nay vote was due to his concern that health, safety and welfare matters were not adequately addressed (in relation to ground water).

Site Plans

5. SITE PLAN REVIEW – Proposed Birchwood Estates Site Condominium – South side of Wattles, West of Dequindre – Section 24

Mr. Miller explained that a Site Plan has been submitted for a proposed Single-Family Residential Site Condominium known as Birchwood Estates, involving an 8.6-acre assembly of R-1C zoned property on the south side of Wattles, west of Dequindre. The subject site consists of all or part of a series of lots from the Eyster's Dequindre Farms Subdivision Number 5. The site abuts the west edge of the office-zoned parcels at the southwest corner of Wattles and Dequindre, and the north edge of the Woodglen Park Subdivision which is presently being developed. The petitioners in this matter, the Elro Corporation, proposed a project consisting of 23 home sites and a detention basin site. The configuration of the property and its relationship to the excepted parcels within the Wattles Road frontage caused a situation whereby some of the home sites will front on Wattles Road. In those cases, joint driveway easements will be provided in order to minimize the occurrence of driveway intersections with Wattles Road. The proposed development will be served by a single street extending from Wattles, which will be a northerly extension of Wardlow Drive from the Woodglen Park Subdivision to the south. A temporary street turn-around should be provided at the west end of the longer east-west street.

Mr. Miller noted that this site is encumbered by an oil pipeline which runs diagonally through the southeasterly portion of the site. A portion of a county drain also crosses the southwest corner of the site. A Wetland Evaluation was submitted with this proposal. The City's Interim Environmental Consultant prepared a report in response to that evaluation, indicating a larger wetland area affecting the lots at the western end of the site. This report also indicated that the storm water detention basin could not be located in an MDEQ Regulated Wetland and flood plain, as proposed. The ultimate wetland and flood plain boundaries will, of course, be determined through the MDEQ Permit process. With this recognition, and the with the provision of a temporary turn-around at the west end of the proposed east-west street, Preliminary Plan Approval was recommended by staff.

Mr. Chamberlain inquired as to whether the proposed development would make the existing houses within the Wattles Road frontage non-conforming. Mr. Storrs expressed a concern regarding the potential street pattern including the extension of Wardlow Drive, which would enable drivers to cut through the area in order to avoid the Dequindre-Wattles intersection.

Richard Schoenherr was present representing Elro Development, along with Graham Orley and Jesse Kranz. Mr. Schoenherr confirmed that no non-conformities will be created in relation the existing houses. One house will be removed. The proposed extension of Wardlow Drive north to Wattles Road was recommended by staff. He felt that the proposed intersection was the only place within the Wattles Road frontage where a connection could be made, due in part to the required street offset from Morningdale Drive on the north side of Wattles Road.

Mr. Storrs proposed that the Wardlow Drive extension be ended in a blind cul-de-sac immediately south of Wattles Road. A potential connection to Wattles Road could then be provided for the future, in the area west of this proposed development. Mr. Schoenherr confirmed that such a plan would still enable direct construction access from Wattles Road.

Moved by Storrs

Seconded by Littman

RESOLVED, that the Planning Commission hereby recommends to the City Council the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of the One-Family Residential Site Condominium known as Birchwood Estates on the south side of Wattles west of Dequindre, be approved with the inclusion of a cul-de-sac at the north end of Wardlow Drive adjacent to Wattles Road, in order to avoid creating a direct by-pass of the Wattles/Dequindre intersection. With this action it is recognized that a future potential westerly extension of Birchdale Drive could provide Wattles Road access to this area.

In the course of the Commission's further discussion, it was suggested that it would be preferable to maintain Wattles Road access to this proposed development, while eliminating the connection between this site and the Woodglen Park Subdivision site to the south. Mr. Littman then withdrew his second of the previous recommending motion.

Moved by Littman

Seconded by Waller

RESOLVED, that the Planning Commission hereby recommends to the City Council that the Preliminary Plan as submitted under 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of the One-Family Residential Site Condominium known as Birchwood Estates on the south side of Wattles west of Dequindre, be approved, subject to the following conditions:

1. The provision of a temporary turn-around at the west end of the proposed east-west street.
2. No connection to Wardlow Drive to the south, in order to eliminate cut-through traffic.
3. Maintain pedestrian access from this site to Wardlow Drive.

Yeas: Chamberlain
Kramer
Littman
Pennington
Starr
Waller
Wright

Nays: Reece
Storrs

MOTION CARRIED

Mr. Reece and Mr. Storrs stated that their negative votes were due to their position that street inter-connection between Woodglan Park Subdivision and this site is important. Mr. Storrs felt that a blind cul-de-sac adjacent to Wattles Road would be a preferable approach, along with the potential for a future connection to Wattles Road in the area to the west.

6. SITE PLAN REVIEW – Proposed Troy Pines II, Site Condominium – East side of John R, South of Long Lake Road – Section 13

Mr. Miller explained that a Site Plan has been submitted for a proposed Single Family Residential Site Condominium known as Troy Pines II, potentially involving a 6.6-acre R-1C zoned assembly of properties on the east side of John R Road south of Long Lake Road. The subject site abuts the north edge of the original Troy Pines Site Condominium, within which homes are presently under construction. The Larson Middle School abuts to the east. A portion of the flood plain for the Gibson County Drain crosses the northeast corner of the site. The petitioners in this matter, Premium Construction, have submitted several different site plans since their original submittal. This plan evolution resulted from a combination of staff direction to conform with Ordinance Requirements, and the petitioner's desire to maximize the lot count. Of the layouts submitted by the petitioners, staff preferred one involving the northerly extension of Douglas Fir Drive from the Troy Pines Site Condominium to the south, along with a street extending into the John R Road frontage and ending in a blind cul-de-sac. Their request for revisions of that plan in order to conform with Ordinance Requirements resulted in the submittal of additional alternative plans which no longer included the John R Road frontage. The petitioners indicated that the economics of land acquisition, and the limited number of lots, would not enable them to include that frontage portion of the site in their development. Staff's direction was that, if the John R Road

frontage is not included, the plan as ultimately presented should provide for future development within that frontage consistent with the previously proposed blind cul-de-sac layout. Also, in order to enable the most reasonable development within the excepted John R Road frontage, the westerly extent of the presently proposed development should be reduced in order to assure the potential availability of four home sites within that frontage exception. The petitioners have indicated that they cannot alter the property dimensions to accomplish the blind cul-de-sac on the John R Road frontage and therefore that the staff's preferred layout cannot be accomplished. The most recent plan submitted involves a street which ends at the east edge of the John R Road frontage exception. If, as the petitioners now indicate, they no longer control the John R Road, exception, the staff must reluctantly support the street configuration most recently presented. This Plan properly indicates the provision of a 12-foot wide public walkway right-of-way extending east to the Larson Middle School. Staff has also indicated to the petitioners that construction access to this development must be directly from John R Road, rather than across existing adjacent local streets. Finally, Mr. Miller indicated that the Environmental Reports submitted by the petitioners and by the City's Consultant are generally consistent, and did not impact the proposed development.

In response to Mr. Waller's questions, Mr. Miller stated that construction access is not controlled by Ordinance, but it was his understanding that such a requirement is contained in the City's development standards. In response to another question, Mr. Miller and Ms. Bluhm indicated that the City maintains public walkways to park and school sites.

John Pavone and Mukesh Mangla, the petitioners, were present. Mr. Pavone indicated that a blind cul-de-sac could be provided in the future but that it would only serve two lots within the John R Road frontage. Since that frontage was sold to others, he has not been able to secure construction access rights. He then commented on some of the other plans which they had prepared, including a plan involving an independent cul-de-sac on the site to the north, thus not requiring a stub-street extension to that property. In response to Mr. Kramer's questions, Mr. Pavone indicated that they had also prepared a plan involving a cul-de-sac ending within their present ownership area. Mr. Miller commented, that that particular plan involved undesirable lot depths. Mr. Storrs expressed concern about the potential extension of Scotch Pine Drive, the existing street nearest to John R Road. Mr. Pavone indicated that extension of that street into the parcel abutting the southwest portion of their property could enable a 3-lot cul-de-sac. Mr. Reece felt that action should be tabled on this matter in order to further consider the relationship between the proposed development and the potential future development on adjacent properties. Mr. Waller asked whether layouts on adjacent properties could be required. Ms. Bluhm stated that requesting such layouts would be reasonable.

Moved by Waller

Seconded by Chamberlain

RESOLVED, that the Planning Commission hereby recommends to the City Council that the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Troy Pines II, on the east side of John R Road south of Long Lake Road, be approved.

Mr. Storrs noted that the owners of the John R Road frontage abutting the northerly portion of the site have chosen the property configuration that has resulted, so they should not object to development limitations in the future. Mr. Littman agreed with the potential tabling of action this matter in order to review the overall potential plan for the area.

Moved by Kramer

Seconded by Reece

RESOLVED, that action on the Preliminary Plan for the proposed Troy Pines II Site Condominium, on the east side of John R Road south of Long Lake Road, be tabled until the June 26th Study Meeting, in order to further consider the best future development plans for the total area.

Yeas: Pennington
Storrs
Wright
Kramer
Reece
Littman

Nays: Starr
Waller
Chamberlain

MOTION CARRIED

Mr. Starr, Mr. Waller and Mr. Chamberlain indicated their position that action could proceed on this matter. Mr. Waller felt that a requirement for the provision of plans for excepted parcels should be applied consistently, rather than on an irregular basis.

7. SITE PLAN REVIEW – Proposed Peacock Farms Site Condominium – West of Rochester Road, North of Square Lake Road – Section 3

Mr. Miller explained that a Site Plan has been submitted for a proposed Single-Family Residential Site Condominium known as Peacock Farms, involving an 11-acre assembly of R-1B zoned properties lying west of Rochester Road, north of Square Lake Road, and specifically north of Ottawa Road. The subject site consists of the rear major portion of acreage parcels which include the Peacock Poultry Farm's operation, along with a portion of a large platted lot extending south to Ottawa Road. The developer was unable to acquire land extending further to the west on Ottawa, and thus will be developing a single-loaded street in that area. The proposed street pattern will extend north from Ottawa and then west to an area involving platted but unopened partial street rights-of-way and street easements lying south of Marengo and east of Norton Street. The petitioners propose street rights-of-way and improvements which will provide for the extension of a full street to the north toward Marengo. Staff concurs with petitioners proposal to provide just a half-street right-of-way in an area to the south, so that the future provision of a street extending into the Ottawa Road lots in that area will be aligned with the proposed street to the north. It may be reasonable to accept a deposit for the construction of a portion of the stub-street extending to the south with the intention that the street would actually be constructed at such time as the west half of the right-of-way is available.

Mr. Miller noted that the home sites within this development will be sized in accordance with the lot-averaging provisions applicable to the subject R-1B Zoning District. The proposed

shallow-sloped unfenced storm water detention area in the southeast portion of the property will ultimately be conveyed to the City for maintenance. The Wetlands Evaluation carried out by the petitioner's consultant generally concurred with the City's Interim Environmental Consultant. Approval of this 21-unit site condominium was recommended.

Bob McComb, the petitioner, was present. He noted that he would be requesting a waiver of the sidewalk requirement along the west side of the proposed street extending north from Ottawa, which would not involve any home sites. In response to Mr. Kramer's question, he indicated that he was aware that an MDEQ Permit process would be necessary, and that any resultant revisions in the layout, would require review by the Planning Commission.

Bob Nielsen of 900 Marengo, stated that he was representing several Marengo residents. Although they appreciated the improvements recently carried out in their area by the City, they felt that the proposed development would be detrimental to their area. He noted the Elliott Drain at the rear of their properties, and stated that the flow in that drain has increased considerably in recent years and has caused tremendous erosion problems, etc. The construction now proposed will cause even more run-off. Area residents were also concerned about the considerable loss of trees in this area which would result from the proposed development. In response to Mr. Chamberlain's question, Mr. Miller explained that the City's tree preservation procedures emphasize preservation of trees in the 4-inch to 10-inch diameter range. Mr. Kramer noted the concerns about the volume of flow in the Elliott Drain, and inquired as to whether that drain could or should be improved at this time.

Tom Thompson of 6285 Rochester Road (four parcels north of Ottawa) stated that his property was adjacent to the Peacock property, and that alterations to their site have made the flooding problems in this area worse. His property is at the lowest elevation in the Section. He was concerned that the proposed detention basin may not be adequate. He commented that backyards in this area have not been usable for two years.

Milton Curtis of 875 Ottawa stated that his property would become the new "corner lot" in the area as it will lie along the west side of the proposed street extending north from Ottawa. He inquired as to where the storm drain facilities will be connected in this area, and why access must be provided to this development from Ottawa other than just from Rochester Road. He also inquired as to who would be responsible for maintenance of the margin along the west side of the proposed street, and the maintenance of the detention basin.

Mr. McComb stated that the detention basin will outlet to Rochester Road. The basin will be shallow-sloped and unfenced. Access to Rochester Road is not available as the property does not front on Rochester Road.

The Commission advised Mr. Curtis that he would be responsible for maintenance of the area along the west edge of the proposed street.

Tom Patton of 841 Ottawa expressed concern about the change in character of the neighborhood which will result from the proposed development, which involves lots which are much smaller than the existing lots in the area along Ottawa. Considering the water

problems, the road problems, and the potential loss of trees in this area, he felt that it would be far preferable to establish a park in the area rather than the proposed development.

Alex Muezynski of 830 Ottawa stated that storm sewers in the area are already over capacity. He felt that the plan should be rejected until the developers find another way of providing access and improving storm sewers.

In response to Mr. Chamberlain's question regarding lot-size compatibility, Mr. Keisling noted the actions which occurred in the area of the Willison Subdivision on Square Lake between Livernois and Crooks. In that case the City's Attorneys advised that a subdivision development meeting Ordinance requirements should be approved, even though the proposed lots are smaller than the adjacent lots. Mr. Chamberlain further commented that this area apparently has a substantial storm water problem, and that solutions to the problem must be found.

Moved by Waller

Seconded by Kramer

RESOLVED, that action on the Preliminary Plan for the proposed Peacock Farms Site Condominium, in the area west of Rochester Road and north of Square Lake Road be tabled until the July 24th Study Meeting, in order to enable further study as to the storm water situation in the area, and the potential disparity of lot sizes.

Yeas: All Present (9)

Absent: None

MOTION CARRIED

Mr. Reece and Mr. Wright commented that information as to elevation of adjacent properties and potential cross-sections in the rear yard drainage areas should be provided.

Special Use Requests

8. PUBLIC HEARING – SPECIAL USE REQUEST – Proposed Hospital Site Expansion – West side of Dequindre, South of South Boulevard – Section 1

Mr. Miller explained that, on May 18, 2001, a request was submitted for the establishment of a child-care center on the William Beaumont Troy Hospital site on the west side of Dequindre, South of South Boulevard. The child-care center plan also indicated the construction of a "utility shop" or service building on the site, in order to better provide for site and building maintenance activities. In the course of reviewing the plan, staff recognized that the site involved extended beyond the site originally approved for the establishment of the William Beaumont Troy Hospital. With the consent of the petitioners, staff then expanded the advertisement for the Special Use Approval Public Hearing to include consideration of a proposal to expand the total site of the hospital to include the land extending south from the presently-developed site to the Ranieri Subdivision, the land which was rezoned to CF and EP classifications in June of 2000.

This rezoning added approximately 19 acres to the potential hospital site, bringing the total site area to 66.6 acres.

Mr. Miller stated that, during the week of May 29 to June 1, Beaumont representatives withdrew their day-care center proposal, but indicated that they wanted to proceed with the proposal to expand the hospital site itself. In accordance with Section 18.30.04 of the Zoning Ordinance, this hospital site expansion proposal will also require approval of the City Council. The Commission's action on this matter will therefore be in the form of a recommendation to the City Council, who will then take the final action on same.

Mr. Miller noted that the question now before the Planning Commission is the propriety of expanding the site of William Beaumont-Troy Hospital to a total of approximately 66.6 acres. There are presently no specific building proposals within the proposed expansion area. Beaumont representatives have however indicated that they are proceeding with their Master Planning efforts, as indicated in conjunction with their most recent rezoning request. Potential expansion of this hospital site is indicated on the Master Land Use Plan, and was the basis for the rezoning which occurred of June of 2000. It was the recommendation of staff that action be taken to approve the request for expansion of this hospital site.

Mr. Chamberlain and Mr. Storrs raised a question as to why the E-P-zoned area should be included in the hospital site for Special Use Approval purposes.

The Public Hearing was declared open.

Kelly Panoff of 2833 Ranieri Drive was present and raised a question as to whether this action is premature if no construction is proposed in the expansion area for eight to ten years. She also inquired as to any restrictions which the City has on hours of construction activity.

Terry Guirey of 2777 Ranieri Drive also questioned the need for the site expansion action.

Mary Bogush of 5916 Patterson Drive raised a question as to whether the specific uses which will occur on this site should be specified.

No one else wished to be heard.

The Public Hearing was declared closed.

The Commission extensively discussed the pros and cons of proceeding with an action which would just expand the hospital site, but not include any specific building proposals. They also discussed the effects of including the EP-zoned area in the hospital site for Special Use Approval purposes. Mr. Miller noted that the EP zoning provisions control the uses in that area whether it is included in a Special Use Approval action or not.

Moved by Kramer

Seconded by Littman

RESOLVED, that the Planning Commission hereby recommends to the City Council that the request for the expansion of the site of the William Beaumont-Troy Hospital, on the west side of Dequindre south of South Boulevard, to include an approximate 19.1-acre area lying between the presently developed hospital site and the Ranieri Subdivision, be approved with the exception of the E-P-zoned portion of the William Beaumont-Troy Hospital property.

Mike Engle of Kasco, Inc. was present on behalf of Beaumont Hospital. He indicated that they would be willing to withdraw their request, in order to avoid any confusion or misunderstanding.

Chairman Chamberlain indicated that this request had been withdrawn and thus that no further action is necessary.

Rezoning Proposals & Text Amendments

9. PUBLIC HEARING – PROPOSED REZONING – North of Long Lake Road, West of Livernois – Section 9 – R-1B to R-1T

Mr. Miller explained that, in March of this year, the City Council took action to rezone parcels totaling approximately 5.5 acres in area on the north side of Long Lake Road west of Livernois from R-1B to R-1T in order to enable construction of the proposed Harrington Park Condominium Development. A Site Plan for that development was approved by the Planning Commission on April 10, 2001, and the City Council has now adopted a resolution authorizing the vacation of the Virgilia Street right-of-way which lies in the midst of the site, in order to enable final consolidation of the site. In the course of detail review of the various matters regarding this site, it was recognized that the depth of the site lying east of the Virgilia Street right-of-way was ten feet less than that portion of the site lying to the west. In conjunction with the requested street vacation, Mr. Maniaci, the developer, has acquired a 100-foot deep portion of the R-1B zoned lot lying north of the present R-1T site, on the east side of the Virgilia Street right-of-way, in order to provide for the potential future construction of a cul-de-sac street ending in that area. This acquisition also potentially enabled addition of a 10-foot by 125-foot strip of land to the Condominium Site, at such time as that parcel would be rezoned to the R-1T classification. The resultant north-south dimension of the site in this immediate area will thus be the same as the site depth in the area west of Virgilia.

Mr. Miller stated that Mr. Maniaci has now requested rezoning of a 10-foot by 100-foot parcel on the north edge of his site from R-1B to R-1T, so that the parcel can be added to the Harrington Park Condominium site. When the vacation of the Virgilia right-of-way is completed, the east-west dimension of this parcel will be expanded to 125 feet. The Planning Department sees no problem with the addition of this small parcel to the potential Harrington Park Condominium site. Approval of this rezoning request was therefore recommended.

The Public Hearing was declared open.

Joseph Maniaci, the petitioner, was present and had no further comment.

No one else wished to be heard.

The Public Hearing was declared closed.

Moved by Littman

Seconded by Wright

RESOLVED, that the Planning Commission hereby recommends to the City Council that the request for the R-1B to R-1T rezoning of a 10-foot by 100-foot parcel lying north of Long Lake Road and west of Livernois, abutting the R-1T zoned site of the proposed Harrington Park Condominium Development, be granted as such rezoning will enable a reasonable minor expansion of the residential condominium site.

Yeas: All Present (9)

Absent: None

MOTION CARRIED

10. PUBLIC HEARING – PROPOSED REZONING – North of Big Beaver, West of John R. – Section 23 – R-1E and P-1 to O-1

Mr. Miller explained that a request has been submitted, by the San Marino Club, for the rezoning of the present P-1 zoned portion of their site and a portion of the R-1E zoned area still further to the north, to the O-1 (Low-Rise Office) classification. The San Marino Club building itself lies within the present O-1 zoned portion of the site which has approximately 404 feet of frontage on Big Beaver Road. The present P-1 zoned area extends 124 feet north of the O-1 boundary. The R-1E zoned land proposed for rezoning extends 255 feet still further to the north. It was Mr. Miller's understanding that it was the petitioner's intention to have their proposed north O-1/R-1E boundary in line with the B-2/R-EC boundary of the Troy Sports Center Site abutting to the east. Initial investigation indicates that their proposed rezoning area extends approximately ten feet further north than the B-2 zoning boundary to the east. This request is submitted in order to enable further improvement of the building and facilities which have been established in the present R-1E zoned area.

As background, Mr. Miller noted that in 1981, San Marino Club received Special Use Approval in order to establish an outdoor recreation area on the northerly 6-acre R-1E zoned portion of their property. The only building proposed at that time was a 3,000-square foot picnic shelter. That building was constructed, and was subsequently enclosed and expanded without the necessary additional approvals.

It was his understanding that this building is now used as the Clubhouse or meeting facility for the San Marino Club members. The owners have been advised that, if they wish to continue this use or expand the building any further, rezoning will be necessary.

Mr. Miller stated that, in the course of staff review of this request, it was noted that the area remaining to the north is fully developable for Single-Family Residential purposes, even considering the oil pipeline which runs diagonally through the site. If the subject property is to be rezoned, there is no reason why the area involved should extend any further north than

the north boundary of the B-2 zoned site to the east. It was further staff's position that, consistent with the approach taken in recent years when additional non-residential zoning has been applied, it would be reasonable to establish E-P (Environmental Protection) zoning on the northernmost and westernmost 50 foot portions of the R-1E zoned area proposed for O-1 zoning.

Mr. Waller asked why the proposed E-P area was not extended further south along the west edge of the P-1 zoned portion of the San Marino Site. Mr. Miller explained that it is expected that P-1 zoning will, at some time in the future, be extended further east across the north edge of the vacant O-1 zoned site immediately west of the San Marino property. Mr. Storrs expressed concern about the realistic potential for additional residential development of the area to the north which is proposed to remain R-1E.

The Public Hearing was declared open.

Bruno Casadei was present representing the San Marino Club. He confirmed that conversations with Mark Stimac of the Building Department indicated that their northerly building is presently non-conforming and that it would be necessary to rezone the property now under consideration in order to enable the present uses of the building to continue and to enable any expansion of that building. In relation to the area still further to the north, he noted that the San Marino Club has maintained that area as a soccer field for many years, as a service both to their members and to the community. In response to a question from the Commission, he further stated that they would have no objection to reducing the northerly limit of the area requested for rezoning so that it will be in line with the B-2 boundary to the east. The proposed E-P zoning would also be acceptable, as long as they could use that area as a portion of their active recreation area.

No one else wished to be heard.

The Public Hearing was declared closed.

In response to Mr. Waller's question, it was indicated that the staff had not discussed the proposed E-P zoning with the petitioners. He was concerned about that lack of communication.

Moved by Kramer

Seconded by Wright

RESOLVED, that the Planning Commission hereby recommends to the City Council that the request for the rezoning of a 3.5-acre portion of the San Marino Club Site in the area north of Big Beaver and west of John R Road, from R-1E and P-1 to O-1, in order to enable continuation and expansion of facilities and activities in this area, be approved with the following modifications:

1. Reduce the northerly extent of area proposed for rezoning by approximately ten feet in order to place it in line with the B-2/R-EC boundary immediately to the east.
2. Apply E-P Zoning to the northernmost and westernmost 50-foot portions of the resultant area proposed for R-1E to O-1 Rezoning.

This action is taken with the understanding that the proposed E-P area will still be able to be used for active recreation purposes, in accordance with the Zoning Ordinance provisions.

Yeas: Chamberlain

Nays: Storrs

Absent: None

Kramer

Littman

Pennington

Reece

Starr

Waller

Wright

MOTION CARRIED

Mr. Storrs stated that his nay vote was due to his opinion that this request resulted in too much O-1 zoning depth, and that there would not be enough land left for meaningful residential development.

The Meeting was adjourned at 11:15 p.m.

Respectfully Submitted

Mark F. Miller
Principal Planner